

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
v.)
Plaintiff,) No. 3:23-CR-131-KAC-JEM
JALEN DEAN,)
Defendant.)

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant Jalen Dean's Unopposed Motion to Continue Motion Deadline, Plea Deadline, and Trial Date [Doc. 15], filed on March 7, 2024.

Defendant requests the Court continue the motions deadline, plea deadline, and trial date by ninety days [Doc. 15]. In support of his motion, Defendant states that counsel needs additional time to research and investigate this case to determine whether pretrial motions are appropriate [*Id.* at 1]. Defendant asserts that he made his initial appearance on February 8, 2024, and initial discovery was made shortly after [*Id.*]. While discovery is not voluminous, Defendant maintains that it contains numerous items of multimedia that counsel needs to review with Defendant while he is in custody using appropriate technology [*Id.*]. Additionally, defense counsel needs to review the sentencing guidelines with Defendant and determine any impact of a conviction in the instant matter [*Id.*]. Finally, defense counsel needs additional time to explore making a full resolution of this case short of trial [*Id.*]. Defendant states that he understands his right to a speedy trial and that the Government does not oppose the requested relief [*Id.* at 2].

Based upon the information in Defendant's motion and because the Government does not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that failing to grant a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Defense counsel needs more time to review, discuss, and evaluate discovery with Defendant, determine if any pretrial motions are appropriate, and otherwise prepare for trial. The Court finds that all of this cannot occur before the April 16, 2024 trial date.

The Court therefore **GRANTS** Defendant Jalen Dean's Unopposed Motion to Continue Motion Deadline, Plea Deadline, and Trial Date [**Doc. 15**]. The trial of this case is reset to **July 23, 2024**. A new, comprehensive trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial, all of the time between the filing of the motion on March 7, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

Accordingly, it is **ORDERED** as follows:

- (1) Defendant Jalen Dean's Unopposed Motion to Continue Motion Deadline, Plea Deadline, and Trial Date [**Doc. 15**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **July 23, 2024, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;
- (3) all time between the filing of the motion on **March 7, 2024**, and the new trial date of **July 23, 2024**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;

- (4) the deadline for filing pretrial motions is extended to **April 8, 2024**, and responses to motions are due on or before **April 22, 2024**;
- (5) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **June 21, 2024**;
- (6) the deadline for filing motions *in limine* is **July 1, 2024**;
- (7) the parties are to appear before the undersigned for a final pretrial conference on **July 2, 2024, at 10:00 a.m.**; and
- (8) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **July 12, 2024**.

IT IS SO ORDERED.

ENTER:



Jill E. McCook
United States Magistrate Judge